UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/CN.10/PV.180
10 June 1993

ENGLISH

DISARMAMENT COMMISSION

VERBATIM RECORD OF THE ONE HUNDRED AND EIGHTIETH MEETING

Held at Headquarters, New York,
on Monday, 10 May 1993, at 11.30 a.m.

Chairman: Mr. DE ARAUJO CASTRO (Brazil)

- Report of the Disarmament Commission to the General Assembly at its forty-eighth session

- Concluding statements

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The meeting was called to order at 11.45 a.m.

REPORT OF THE DISARMAMENT COMMISSION TO THE GENERAL ASSEMBLY AT ITS FORTY-EIGHTH SESSION

The CHAIRMAN: In accordance with our programme of work, we are approaching the final stage of our work at the current session, namely, agenda item 7 regarding the consideration and adoption of the reports of the subsidiary bodies on the various agenda items and the draft report of the Commission. These are contained in documents A/CN.10/1993/CRP.2, A/CN.10/1993/CRP.3, A/CN.10/1993/CRP.4 and A/CN.10/1993/CRP.5.

In accordance with the timetable that has been agreed, we will first consider the reports of the Working Groups and of the Commission as a whole. After that, delegations will be given the opportunity to make concluding statements.

I should now like to begin the process of the consideration and adoption of the reports of the subsidiary bodies on the various agenda items. In doing so, I shall call on the Chairman of each Working Group to introduce the report of that Group.

We will begin by considering the report of Working Group II on agenda item 5, entitled "Regional approach to disarmament within the context of global security", contained in document A/CN.10/1993/CRP.4.

I now call on the Chairman of Working Group II, Ambassador Wolfgang Hoffmann of Germany to introduce the report of the Group.

Mr. HOFFMANN (Germany), Chairman of Working Group II: I think it was to everybody's surprise that we finished our work last Friday within the deadline. This was really made possible by the goodwill, cooperation and spirit of compromise shown by all representatives.

(Mr. Hoffmann, Chairman, Working Group II)

I must point out that we did not have time for a real editing exercise, so document A/CN.10/1993/CRP.4 and its annex may not make for good reading. But I believe they make a lot of sense. They include a number of interesting ideas and will, I am sure, be a good basis for future regional disarmament.

Through you, Sir, I should like again to thank all my hard-working colleagues of Working Group II, who really dedicated themselves to the task, and the Secretariat for helping us to move along. I should also like to thank the interpreters, who put in a great deal of effort and patience.

The CHAIRMAN: I should point out a slight correction made in the text of document A/CN.10/1993/CRP.4. In paragraph 22 on page 6, the beginning of the sentence should read "Where appropriate, regional arrangements ..." and so on. This was agreed to in the meeting of the Committee of the Whole.

If there are no comments, I shall take it that the Commission wishes to adopt the report (A/CN.10/1993/CRP.4) of Working Group II on agenda item 5 regarding regional disarmament.

The report, as orally corrected, was adopted

The CHAIRMAN: I should now like to turn to the report of Working Group I on agenda item 4, entitled "Process of nuclear disarmament in the framework of international peace and security, with the objective of the elimination of nuclear weapons", contained in document A/CN.10/1993/CRP.3.

I should like to point out for the record some corrections that were made to that document in the course of the meeting of the Committee of Whole. In paragraph 6, the word "working" should be added before the word "papers" in the first line, so that the paragraph begins: "The Chairman compiled these working papers ..." and so on.

(The Chairman)

On the third line of paragraph 8, the word "was" should be replaced by the word "were".

On the seventh line of paragraph 9, the word "on" should be included before the words "his responsibility".

The chapeau of paragraph 12 should read:

"The Group also made reference to the following documents, which could contribute to the work in 1994."

In subparagraph (b) of paragraph 12, after the words "Chairman's suggestions for the 'Guidelines and Recommendations for Nuclear Disarmament'", we should include the parenthesis "(compilation of working papers and other relevant documents and statements)".

These are the corrections that were introduced to document A/CN.10/1993/CRP.3 in the course of the meeting of the Committee of the Whole.

I now call on the Chairman of Working Group I, Ambassador Batiouk of Ukraine.

Mr. BATIOUK (Ukraine), Chairman of Working Group I: I should like once again to thank all the delegations that participated in the meetings and consultations held in the framework of Working Group I for their sense of cooperation and their useful contributions to the deliberations, which made it possible to present this draft report to the Commission.

I should also like to thank the Commission's Bureau for its understanding and for its providing us with the necessary time. Of course, three equal Working Groups were working, and we understand that the other two Groups had preference as to the time and facilities provided, but this was done in the understanding that next year we will be "more equal" than others because our Group will have to finish its work.

(Mr. Batiouk, Chairman,
Working Group I)

All the findings, recommendations and the tentative programme of work for the period between the sessions are contained in the draft report before us, so I have only to ask the Commission to adopt it.

The CHAIRMAN: If there are no comments, I shall take it that the Commission wishes to adopt the report (A/CN.10/1993/CRP.3) on agenda item 4 regarding nuclear disarmament.

The report, as orally corrected, was adopted.

The CHAIRMAN: We shall now take up the report (A/CN.10/1993/CRP.5) of Working Group III on agenda item 6, entitled "The role of science and technology in the context of international security, disarmament and other related fields".

I would like to indicate corrections that were made to the text in the course of the meeting of the Committee of the Whole. In the eleventh line of paragraph 5, the word "was" should be deleted and replaced by a comma. In the twelfth line of that paragraph, the word "contained" should be replaced by the word "containing".

I now call on the Chairman of Working Group III, Ambassador Erdenechuluun of Mongolia, to introduce the report of Working Group III.

Mr. ERDENECHULUUN (Mongolia), Chairman of Working Group III: I have the privilege of introducing to the Disarmament Commission the report of Working Group III on agenda item 6, entitled "The role of science and technology in the context of international security, disarmament and other related fields". The report is contained in document A/CN.10/1993/CRP.5.

Working Group III held six meetings between 21 February and 8 May 1993. In carrying out its deliberations, the Working Group had before it a number of working papers submitted by various delegations; these are listed in

(Mr. Erdenechuluun, Chairman, Working Group III)

paragraph 2 of the report. The Working Group also had before it a working paper submitted by the Chairman, which, with the consent of the members of the Group, was used as a basis for its deliberations.

The Chairman's working paper, as delegations are aware, was prepared on the basis of the report of the Working Group on the subject during the 1992 session of the Disarmament Commission, which is contained in document A/47/42. As delegations are also aware, a Drafting Group was established with the task of drafting a text of guidelines and recommendations for adoption. It held 13 meetings on the subject-matter, and the result of the Drafting Group's work is annexed to the report. I wish to take this opportunity to express my sincere and deep appreciation to Ambassador Peggy Mason of Canada for assuming the heavy burden of chairing the Drafting Group and for her unflinching efforts, support and cooperation on this challenging subject.

In spite of the fact that the Working Group was unable to conclude its work as mandated, due to differences of view on some issues, I wish to emphasize that considerable progress was none the less made in accommodating different positions of the delegations on a large number of issues. Accordingly, the Working Group decided to recommend that the agenda item on the role of science and technology in the context of international security, disarmament and other related fields be included in the agenda of the Disarmament Commission for conclusion at its 1994 session.

As I indicated in my previous statement when I presented the Working Group's progress report to the Commission, the deliberations of the Group took place in a very positive atmosphere. I was privileged as Chairman of the Group to enjoy the cooperation of all delegations. My thanks also go to last

(Mr. Erdenechuluun, Chairman, Working Group III)

year's Chairman, Ambassador Azikiwe of Nigeria, for laying the basis for the work of the Group in 1993.

Let me express my deep appreciation for the active participation and spirit of cooperation of the delegations that attended the Group's deliberations, and my particular and sincere thanks to you, Mr. Chairman, for your unreserved and sustained support of our Group. I should also like to thank members of the Secretariat, especially Mr. Mohammad Sattar, Ms. Lucy Webster and Ms. Aina Nania for their cooperation and tireless service.

The report of Working Group III is hereby submitted for the consideration and approval of the Disarmament Commission.

The CHAIRMAN: I now call on the Chairman of the Drafting Group of Working Group III, Ambassador Mason of Canada.

Ms. MASON (Canada), Chairman of the Drafting Group of Working Group III: As I indicated a little earlier, I will be making a very brief national statement at the appropriate time. I would like now to make a statement in my capacity as Chair of the Drafting Group of Working Group III. Given the outcome of the Drafting Group's work, I beg the indulgence of delegations, for my statement will be somewhat longer than might normally be the case.

Delegations have before them for approval the report of Working Group III, in which it is recommended that the science and technology item be extended for conclusion at the 1994 session. In addition, a Chairman's working paper is annexed, containing draft guidelines and recommendations. It was prepared solely on the responsibility of the Chairman and without prejudice to the position of any delegation.

Before I comment directly on the outcome of this year's efforts, I think it would be useful to take just a moment to recall the history of this item, beginning with the mandate comprised by the item "The role of science and technology in the context of international security, disarmament and other related fields". In our first year of work on this item, in 1991, under the masterful direction of the then Chairman of the Working Group, Ambassador de Araujo Castro, it was agreed that the mandate should be addressed in a structured way on the basis of four sub-items: scientific and technological developments and their impact on international security; science and technology for disarmament; the role of science and technology in other related fields; and the transfer of high technology with military applications. Each of the four sub-items would have merited, in my view, the full attention of the Working Group.

(Ms. Mason, Chairman, Drafting Group, Working Group III)

The report from the first year's consideration of this item - the 1991 report - underlined the awareness the Working Group had from the very outset of the

> "basic difficulties of its mandate, a complex, wide-ranging and challenging mandate, encompassing matters that had never before been dealt with in a systematic debate in the United Nations". (A/46/42, para. 42, subpara. 12)

Notwithstanding these difficulties, however, and again as a direct result of the chairmanship of that Working Group in 1991, the report was able to reflect certain emerging principles which, while not then ripe for consensus, were able none the less to provide the basis for the second year's work. Because of time constraints, I do not wish to enumerate these principles, but I would simply refer delegations in particular to paragraphs 13 to 16 of the 1991 report.

By the end of the second year's consideration of this item, sufficient progress had been made for the report to include certain agreed principles in relation to the various sub-items. With respect to sub-item 1, for example, the following was agreed: a general recognition that international security depends on a multiplicity of factors in the social, economic and environmental, as well as military, fields; that science and technology per se were deemed to be neutral, and their application for peaceful purposes should be promoted; and that the application of science and technology for legitimate defence purposes in accordance with the Charter of the United Nations and generally agreed principles of international law was acceptable.

In addition, with respect to sub-item 2, "Science and technology for disarmament", considerable progress was made in identifying areas in which

(Ms. Mason, Chairman, Drafting Group, Working Group III)

disarmament-related science and technology are applied, including in relation to weapons disposal, military conversion and the negotiation and verification of disarmament agreements. Further, the need to strengthen international cooperation in this regard was recognized. During the course of the discussions, it also became clear that the question of access to disarmament-related technologies which were required for the effective implementation of disarmament agreements was of particular relevance.

On sub-item 3, progress was made on identifying other related fields, including the possible application of military technology to purposes related to the protection of the environment.

With respect to sub-item 4, on the transfer of high technology with military applications, the Group continued its consideration of the proposal by Argentina and Brazil for seeking universally acceptable international norms or guidelines that would, to cite paragraph 8 of the Group's 1992 report, "regulate international transfers of sensitive technologies". In this context, the need to widen multilateral dialogue was recognized. It was further agreed that norms or guidelines for the transfer of high technology with military applications should take into account legitimate requirements for the maintenance of international peace and security while ensuring that they did not deny access to high-technology products, services and know-how for peaceful purposes.

However, at the same time, that section of the report from year two also contained a series of observations which reveal quite graphically the extent of differing views in this area. As examples, I shall give two important views that were expressed in paragraph 9 of the Group's 1992 report: First,

(Ms. Mason, Chairman, Drafting Group, Working Group III)

"Views were expressed that, while a dialogue on technology transfer was welcome, initiatives in this area should not weaken, detract from nor supplant existing effective arrangements that are successfully working to curb proliferation. It was stated that all States should support existing agreements and other control arrangements and that increased participation should be welcomed and encouraged".

Immediately following that, this statement of view appears:

"In this context it was further stated that existing control regimes might be necessary but not sufficient, and that in order to reinforce their effectiveness the legitimacy of such regimes would have to be recognized by all States. Moreover, an effort to increase transparency in the transfer of high technology with military applications was called for. It was stated that other aspects, such as non-discrimination, equity, predictability, effectiveness and reciprocity of benefits and obligations, would contribute to the acceptance of the legitimacy of regimes affecting the transfer of sensitive technologies".

That, then, is the context for the deliberations which took place in this third year of consideration of the science and technology item in an effort to conclude our work successfully.

It is my firm view in my capacity as Chair of the Drafting Group - a view that I hope is widely shared - that considrable progress was made in advancing understanding in this complex and difficult area of non-proliferation and cooperation for peaceful purposes, progress which I hope is amply demonstrated in the Chairman's non-paper containing draft guidelines and recommendations. However, it seems to me that it has been clear from the beginning that this exercise, now three years old, given the sensitivity, the complexity and above

(Ms. Mason, Chairman, Drafting Group, Working Group III)

all the relevance of the issues under discussion, was not one in which important differences could simply be papered over. Progress could be made and a successful conclusion achieved only if the Working Group managed genuinely to advance the common understanding in concrete ways.

Despite the lack of an agreed text, I believe that this increased understanding has in fact come about. Solely on my own responsibility I have attempted to identify this progress, as well as those areas where important differences remain, by means of the Chairman's text, which appears in annex I to the report of Working Group III before the Commission. Recognizing that this is not binding on any delegation, I do not intend to review it in detail now. I hope it speaks for itself, and I equally hope and believe that it will help our work in the fourth and final year of consideration of this item. Given the extraordinary efforts made by so many delegations to reach a meaningful consensus on the role of science and technology in the context of international security, disarmament and other related fields, I am confident that next year we will take full advantage of the significant, though incomplete, progress made this year.

It falls to me now to express words of appreciation, beginning with our Working Group Chairman, Ambassador Erdenechuluun, whose untiring efforts, commitment and dedication amount to precisely the kind of leadership that is required. The Working Group was fortunate indeed to have such a Chairman. He was no doubt inspired, as we all were, by the competence and dedication of the overall leadership provided by the Chairman of the Commission, Ambassador de Araujo Castro.

(Mr. Mason, Chairman, Drafting Group, Working Group III)

We have been equally fortunate in the Secretariat support we received. I wish to extend my particular thanks to our Secretary, Mr. Sattar, and his staff for the unstinting efforts they exerted to ensure that we had the various texts in time. As late as the Drafting Group worked, the Secretariat had to work later still each night to keep a rolling text fully updaged at each stage of our work. That is why the Chairman felt able to take on the task of producing a Chairman's text, solely on my responsibility: because we had a night-by-night record of the results of each night's work.

(Ms. Mason, Chairman, Drafting Group, Working Group III)

Lastly, I should like to turn to the delegations that participated in the lengthy and often exhausting deliberations of the Drafting Group under conditions of overlap with other important meetings, restrictions on translation and other conference services, and, above all, under serious time restrictions, requiring recourse to lengthy meetings into the night, without break.

I wish at this time to pay personal tribute to all the delegations that worked so hard to make a success of Working Group III. I can only say that it has been an extraordinary privilege to have been able to chair such a drafting group. The efforts of delegations from every region and every grouping to overcome our differences and to find agreement exemplifies, in my view, exactly what the Disarmament Commission should be all about. The fact that the Drafting Group failed to reach agreement on the draft guidelines and recommendations this year but recommended that the item be included for conclusion next year, in my view, says it all. The effort was worthwhile and continues to be so.

The CHAIRMAN: Having listened to these statements, I would inquire if there are any comments from delegations on the report of Working Group III. If there are none, I shall take it that the Commission wishes to adopt the report of Working Group III on agenda item 6 regarding the role of science and technology, as contained in document A/CN.10/1993/CRP.5, as orally corrected.

The report, as orally corrected, was adopted.

The CHAIRMAN: Having adopted all reports of the subsidiary bodies of the Commission, I should like to thank - and I will have the opportunity to do this more extensively in my final concluding statement - the Chairmen of

(The Chairman)

the different Working Groups and of the Drafting Group for their endeavours and their efforts in the consideration of the various subjects and in carrying out the tasks entrusted to the Commission by the General Assembly.

We are now in a position to take up the draft report of the Disarmament Commission for consideration, as contained in document A/CN.10/1993/CRP.2.

I call on the Rapporteur of the Disarmament Commission, Mr. Stefan Füle of the Czech Republic, to introduce the draft report of the Commission.

Mr. FULE (Czech Republic), Rapporteur of the Disarmament Commission: It is my honour and pleasure to introduce to you the draft report of the substantive session of the 1993 United Nations Disarmament Commission, as contained in document A/CN.10/1993/CRP.2, which is before all delegations for consideration.

As in previous years, the document presents a factual description of the Commission's work during this year's session and contains four chapters: Introduction; Organization and Work of the 1993 Substantive Session; Documentation; and Conclusions and Recommendations.

With regard to the substantive work done by the subsidiary bodies of the Commission, the relevant sections will contain the reports of the three Working Groups, which have just been adopted by the Commission. Please note that the blanks left in the draft report concerning meeting numbers and dates were completed by the Secretariat during the meeting of the Committee of the Whole. During that meeting, slight changes in the text of the draft report were made as well, and I should like to draw your attention to these amendments.

Page 4, paragraph 2: the fifth line from the end should read "para. 8 below" instead of "para. 7 below".

(Mr. Füle, Rapporteur, Disarmament Commission)

Also on page 4, paragraph 5, please insert the word "new" between "one" and "item". The text should read "one new item ir the substantive agenda".

On page 6, in the last line of paragraph 12, the number of meetings - 19 - should be inserted. The text should read "held 19 meetings between 21 April and 7 May".

In paragraph 13, the last line of original text should read "and held 6 meetings between 21 April and 8 May", instead of "7 May". We also added one sentence at the end of paragraph 13, which reads: "The Working Group decided to establish a drafting group under the chairmanship of Ambassador Peggy Mason (Canada), which held 13 meetings".

I should like to take this opportunity to make some very brief personal remarks. The third year of the newly reorganized Disarmament Commission is now all but behind us. Despite its limited success, and perhaps despite the expectations of us all, the views on various aspects of disarmament and arms limitation are divergent enough to threaten or even prevent a consensus. Without our combined efforts based on new disarmament vocabulary, next year's session of the Disarmament Commission will face a difficult task in concluding the two remaining items. The considerably revitalized potential of the United Nations Disarmament Commission will be wasted unless we find a way not to work as a small, open-ended Committee and unless we create favourable conditions for our deliberations. I hope many representatives agree with me that holding parallel meetings does not constitute a favourable condition.

It is in this context that the Disarmament Commission reform package is to be under regular review. In the framework of this reform process, and taking into account our experience with the three-item phased approach, we may

(Mr. Füle, Rapporteur, Disarmament Commission)

perhaps wish to consider the feasibility of moving the Disarmament Commission agenda to only a two-item phased approach.

Results of the current session of the Disarmament Commission indicate once more that behind the successful conclusion of any item stands its clear definition and the unanimous and profound readiness of all Disarmament Commission members to consider such item with a view to reaching a consensus on sound conclusions and recommendations.

(Mr. Fule, Rapporteur, Disarmament Commission)

Let me take this opportunity to extend my heartfelt thanks to the Secretariat for the assistance and cooperation they have provided me throughout the work of the Commission, and particularly in the preparation of its draft report. In particular, I should like to express my sincere gratitude to Mr. Prvoslov Davinic, Director of the Office for Disarmament Affairs, as well as to Mr. Lin Kuo-chung, Secretary of the Commission, and to his colleagues for their valuable help and cooperation.

Finally, Mr. Chairman, I should like to emphasize that it was a great honour and privilege for me to serve under your distinguished leadership and to receive the fullest cooperation of the Chairmen of the three Working Groups who so ably guided the deliberations of the subsidiary bodies of the Commission during the present session.

With that brief introduction, I now recommend that the Commission adopt the draft report, as contained in document A/CN.10/1993/CRP.2.

The CHAIRMAN: We shall now consider the draft report of the Commission section by section. We shall begin with part I, "Introduction". If there are no comments, may I take it that the Commission wishes to adopt paragraphs 1 to 5 in part I of the draft report?

Paragraphs 1 to 5 were adopted.

The CHAIRMAN: We turn now to part II, "Organization and work of the 1993 substantive session", paragraphs 6 to 15. If there are no comments, I shall take it that the Commission wishes to adopt those paragraphs.

Paragraphs 6 to 15 were adopted.

The CHAIRMAN: We turn now to part III, "Documentation". If there are no comments on paragraphs 16 to 26, I shall take it that the Commission wishes to adopt those paragraphs.

Paragraphs 16 to 26 were adopted.

The CHAIRMAN: We turn now to part IV "Conclusions and recommendations", paragraphs 27 to 31, including the Notes. If there are no comments, may I take it that the Commission wishes to adopt those paragraphs?

Paragraphs 27 to 31 were adopted.

The CHAIRMAN: Now that all parts of the draft report have been adopted, I should like to take up the draft report of the Commission as a whole, with all reports of subsidiary bodies inserted therein. May I take it that it is the wish of the Commission to adopt the draft report of the Commission as a whole, as contained in document A/CN.10/1993/CRP.2, as orally corrected by the Rapporteur?

The draft report, as orally corrected, was adopted.

CONCLUDING STATEMENTS

The CHAIRMAN: We are now approaching the final stage of the Commission's work, namely, concluding statements by delegations to assess the work of the Commission during this substantive session and perhaps to comment on prospects for the future.

We have a total of 15 speakers inscribed on our list of speakers for this afternoon's meeting. But since we still have some time available this morning, and with a view to shortening this afternoon's meeting, I would invite delegations prepared to do so to speak at this time.

Mr. PONCE (Ecuador) (interpretation from Spanish): At the conclusion of the substative session of the Disarmament Commission, the delegation of Ecuador would like to state its views on the progress made in our work.

The Working Group on the item, "Process of nuclear disarmament in the framework of international peace and security, with the objective of the elimination of nuclear weapons", still has major work ahead of it. We offer our cooperation to its Chairman so that as the year goes by we can proceed with consultations in such a way as to allow us to arrive at the next session of the Commission with a draft text. The report on last year's session and the guidelines for preparing the document for this session offer a sound basis for further work.

The results achieved in connection with the item "Regional approach to disarmament within the context of world or global security" are not entirely satisfactory to my delegation, given the ambiguity of certain key elements of the text adopted.

It is regrettable that there was no reference either to the goal of nuclear non-proliferation in all its ramifications or to the 1978 Final Document, which was adopted by consensus and which in my delegation's view remains valid in its essential aspects. Moreover, the Commission should have been more specific about the United Nations contribution to regional disarmament approaches. It should also have reiterated the need to strengthen the vital role of the existing machinery for the prevention or peaceful settlement of regional disputes.

The lack of an agreement on the item, "The role of science and technology in the context of international security, disarmament and other related

(Mr. Ponce, Ecuador)

fields", is a source of deep concern to my delegation. The notion that international relations in this area should continue to be governed by unilaterally imposed norms - discriminatory in nature and an assault on developing countries' free access to the science and technology essential to meeting the needs of their peoples - is not only unrealistic in the new international context but also jeopardizes any attempt to achieve an effective regime for the non-proliferation of weapons of mass destruction, especially nuclear weapons.

The nuclear Powers, for their part, must understand that only the adoption of universal norms negotiated by the international community under United Nations auspices will make possible international action to promote universal adherence to non-proliferation regimes. This Commission is the appropriate forum for a first step on that long road.

What is more, those States not parties to international agreements governing the non-proliferation of weapons of mass destruction must look to the future and do more than merely denounce flaws in the systems negotiated in the past.

(Mr. Ponce, Ecuador)

We trust that by recognizing these realities the Commission will be able, at its next session, to conclude successfully its work on this subject. To that end, we must abide by the agreements reached on various aspects of the text so industriously negotiated by the Drafting Group, under the tireless direction of Ambassador Peggy Mason of Canada.

During the debate at the outset of this session, my delegation pointed out that consensus is the practical reflection of a successful diplomatic negotiation and that in no case can it be an illegal mechanism for the creation - without saying so - of a new veto system. We trust that the various positions taken by delegations will become more flexible and that the advantages of this approach to decision-making will be of benefit to us. If that does not come about, we will have to consider the possibility of resorting to voting, which is contemplated in our rules of procedure.

I should like to conclude by expressing, Mr. Chairman, my delegation's appreciation to you and the highly competent delegaton of Brazil for your efforts to overcome the obstacles that have come up during our work. We also thank the representatives of Germany, Mongolia and Ukraine for their chairing of the Working Groups and the Secretariat staff who have stood by us throughout.

Mr. FOUATHIA (Algeria) (interpretation from French): Now, at the conclusion of the work of this substantive session of the Disarmament Commission, it is first and foremost a pleasure to express to you, Mr. Chairman, the Algerian delegation's great satisfaction at the exemplary manner in which you have led us in our work, which is coming to a close on an overall satisfactory note. Your personal and professional qualities, with which we are all acquainted, have been a guarantee of our success, which adds

(Mr. Fouathia, Algeria)

to our Commission's list of achievements since its recent reform. I should like to take this opportunity to express my delegation's gratitude to each of the Chairmen of the three Working Groups for having carried out the difficult task of coordinating our deliberations despite all constraints, especially that of the rather brief time available in view of the importance of the items on the agenda. And I cannot overstate my delegation's satisfaction at the dedication and competence of all the Secretariat staff and the invaluable assistance they have unfailingly provided us throughout the session.

At this year's substantive session we have been able to conclude successfully the consideration of an agenda item that is both essential and sometimes extremely delicate in its implications for international security in a world engaged in a process of profound transformation. I am referring to agenda item 5, "Regional approach to disarmament within the context of global security", which has been the subject of recommendations by Working Group II, under the Chairmanship of Ambassador Wolfgang Hoffmann of Germany, who left his personal mark on the work of that group.

While supporting the consensus achieved through great effort throughout that Group's deliberations, my delegation wishes nevertheless to offer its interpretation of what we feel should be the regional approach to disarmament and arms control in the context of global security. This regional approach must, in our view, be pursued not in isolation but in parallel, must be proportionally balanced but not absolute, and must complement rather than supplant the global approach. Furthermore, it must be aimed at achieving the priorities of disarmament as they have been identified in the Final Document of the tenth special session of the General Assembly, held in 1978. Finally, it should be directed towards the establishment of a security structure that

(Mr. Fouathia, Algeria)

places everyone on an equal footing, reducing armaments to the lowest possible, symbolic level.

Throughout this session, Working Group III, which was entrusted with the consideration of agenda item 6, "The role of science and techniology in the context of international security, disarmament and other related fields", has succeeded in smoothing out numerous problems in spite of a multitude of difficulties. Among those difficulties was the extremely limited time available to deal with stirring questions that sometimes gave rise to in-depth debate. On the other hand, we must acknowledge that consensus has been achieved on many no-less-delicate questions and that, in fact, very little remains to be done in order to conclude our work.

Undoubtedly, credit for what has been accomplished at this session and at previous sessions too is shared by the delegation of your country, Mr. Chairman, and Ambassador Peggy Mason of Canada, who provided coordination in the Drafting Group with such dedication, zeal, propriety and professionalism - and we are not citing these qualities out of mere kindness. This hard-won result has given us hope that the necessary conditions for reaching consensus on all the basic aspects of this question will be met - one to which we attach the greatest importance.

On agenda item 4, "Process of nuclear disarmament in the framework of international peace and security, with the objective of eliminating nuclear weapons", I should like to express my delegation's deep appreciation to Ambassasor Batiouk of Ukraine for his efforts throughout this session to advance the preparations for an in-depth consideration of this subject next year. I can assure him that my delegation is fully prepared to participate in the consultations he intends to hold during the work of the First Committee at

(Mr. Fouathia, Algeria)

the General Assembly's next session. In my delegation's view, this is a quite suitable approach and will be very helpful for the preparation of the future work of the Disarmament Commission.

In conclusion, I wish to assure you, Mr. Chairman, of the full support and confidence of the Algerian delegation in the consultations that you may be called upon to undertake on questions of substance and on the very future of the Disarmament Commission.

Ms. MASON (Canada): I should like briefly to offer Canada's perspective on the work of this session.

First, on the nuclear item, the Chairman of Working Group I, Ambassador Batiouk, laboured mightily in the face of an overcrowded agenda and delegations stretched very thin. This year again, the deliberations of the Working Group revealed the tremendous difficulties to be overcome if this item is to be successfully concluded in 1994. For its part, Canada wishes to reiterate the priority which it attaches to this item. We would urge Ambassador Batiouk to pursue intersessional consultations in order further to prepare the ground for next year's work. In particular, efforts to better focus the work under this item must continue to be pursued.

I turn now to Working Group II. As I said in my opening statement in plenary meeting, Canada has devoted increasing attention to regional disarmament and international security questions over the past year as it becomes apparent that a host of post-cold-war problems are best addressed at the regional level. It is therefore with tremendous satisfaction that we congratulate the Working Group for the achievement of a meaningful consensus text. I am sure all delegations join me in paying a tribute to the Working Group Chairman, Ambassador Hoffmann, whose absolutely unstinting efforts simply would not allow for anything short of success.

I turn now to Working Group III, with respect to which Canada had the privilege of chairing the Drafting Group and I made a statement earlier this morning. Let me now add a few additional observations from a national standpoint. To put it at its plainest, the root of the differences in Working Group III relate to fundamental differences of perspective between supplier and recipient States in the area of the transfer of high technology with military applications. Yet the fact is that, whatever those differences,

(Ms. Mason, Canada)

suppliers and recipients need each other. They need each other if we are to do what we have all agreed we must do: enhance international security in the vital area of non-proliferation and promote cooperation in the transfer of high technology with military applications for peaceful purposes. In other words, what is required is a joint approach that adequately reflects the views of both suppliers and recipients in a way which meets the twin objectives of enhancing international security and promoting international cooperation for peaceful purposes.

This is what is reflected, I believe, in the Brazil-Canada joint working paper, which our two countries developed in advance of this year's session. The result of that joint effort was not only the paper itself but a basis for cooperation between our two delegations which, I believe, was evident throughout the deliberations of Working Group III and particularly during the Drafting Group stage. In that respect, I wish to pay a particular tribute to the Brazilian delegation for its outstanding efforts to advance understanding in this vital area.

With regard to the Chairman's working paper itself, in Canada's view there are many important principles and new understandings that were developed during the deliberations of Working Group III. I would point to only one which, in my view, reflects not only the efforts made but also the progress achieved in bridging the gap between supplier and recipient States. Paragraph 20 of the report states:

> "Cooperation in this field among supplier and recipient States should be enhanced by a firm common commitment to prevent transfers of high technology with military applications for exclusively peaceful purposes from being diverted to non-peaceful uses. Such cooperation

(Ms. Mason, Canada)

should be based on clearly defined and balanced rights and obligations, appropriate measures of transparency and verification, equity and fairness and predictability of incentives and benefits."

(A/CN.10/1993/CRP.5, annex, para. 20)

Without in any way minimizing the extent of the outstanding differences - and here I echo my Chairman's statement that, in my view, it is critically important not to minimize but to face them squarely; they are, of course, encapsulated in paragraphs 15 and 16 of the Chairman's paper - there is, in Canada's view, a clear basis for further progress. I wish to pledge Canada's continued dedication to widening agreement in this key area of non-proliferation and cooperation for peaceful purposes, beginning with intersessional work by Canada aimed at a joint working paper going beyond one supported by Canada and Brazil to include other countries as well.

In conclusion, I would recall paragraph 7 of the 1990 document on "Ways and means to enhance the functioning of the Disarmament Commission", where it was agreed that the Chairman should conduct consultations year round. I invite you, Sir, to do so with respect to advancing our preparations for the fourth year of the science and technology item. Thus, in final conclusion, for those here who wished a respite from this issue, I can only say that it promises to be a very brief one indeed.

The CHAIRMAN: I should just like to comment briefly on Ms. Mason's comments towards the end of her statement calling attention to the final paragraph of the ways and means document, which states that

"The Chairman of the Disarmament Commission should conduct consultations on matters relating to the work of the Commission, in particular on its working agenda, year round, especially during the

(The Chairman)

meetings of the First Committee of the General Assembly." (resolution 44/119 C, annex)

As we are all aware, in paragraph 10 of the report on nuclear disarmament (A/CN.10/1993/CRP.3), it is indicated that the Chairman of that Working Group, Ambassador Batiouk,

"will hold informal consultations during the intersessional period and will convene a meeting of the Group for that purpose in October/November 1993".

In fact, as Ambassador Mason has pointed out, it is also the responsibility of the Chairman to seek to conduct informal consultations on the various agenda items. Since we are supposed to conclude our consideration of this item next year, I believe that, seizing the opportunity of First Committee deliberations during this session, in consultation with Ambassador Erdenechuluun and Ambassador Mason, we could possibly devise some way to continue informal consultations on this subject. I think that would be perfectly within the statement made in the ways and means document and the general thrust of the report we have adopted.

Mr. SOBASHIMA (Japan): The Japanese delegation would like to pay a tribute to you, Sir, the Chairmen of the three Working Groups, the Bureau and the Secretariat for their great efforts devoted to this substantive session. Indeed, during the first three weeks, the Disarmament Commission made great progress. We would like to express our heartfelt congratulations to Ambassador Wolfgang Hoffmann of Germany on his success in concluding the work of Working Group II on regional approaches to disarmament within the context of global security.

We regret that Working Group III has not concluded its work at this session. But the Group made tremendous progress. In our view, the role of

(Mr. Sobashima, Japan)

science and technology in the context of international security, disarmament and other related fields has never been so extensively discussed by the international community as at this session. We would like to express our special appreciation to the Chairperson of the Drafting Group, Ambassador Peggy Mason of Canada, for her untiring efforts to accommodate all different views. We should also like to thank all the delegations that to the last minute cooperated with her in order to reach agreement.

The Japanse delegation is confident that, building on the valuable work done this year, the Working Group on the role of science and technology will be able successfully to conclude its work next year.

Mr. FUJITA (Brazil): At the outset, my delegation would like to contratulate you, Sir, on the very skilful manner in which you have conducted our deliberations this year, and to the Chairmen of Working Groups I, II and III and the Chair of the Drafting Group of Working Group III for the intensive and dedicated way in which they strove to advance our work. In particular, my delegation would like to congratulate Working Group II on having successfully concluded its important document on regional disarmament.

A word of appreciation is due also to the Secretariat, whose indefatigable work helped us very much in our task.

In the interests of brevity, my delegation will limit its comments to the question of science and technology. The deliberations conducted by Working Group III this year on the draft guidelines and recommendations for the role of science and technology in the context of international security, disarmament and other related fields may be said to have been of a truly epoch-making nature. Earlier today we heard the comprehensive statement of the Chair of the Drafting Group, in which she outlined the history of this item and put our deliberations this year in context. My delegation fully shares her views and in fact is very thankful to her for having provided us with this additional material for reflection.

As was said by other delegations before me, for the first time many crucial questions relating to the impact of the development and transfers of high technology with military applications were addressed in a focused and systematic manner within the United Nations. The Disarmament Commission formulated and almost succeeded in adopting a number of substantive guidelines and recommendations in this field, taking into account legitimate requirements for the maintenance of international peace and security while ensuring that

(Mr. Fujita, Brazil)

they do not deny access to high-technology products, services and know-how for peaceful purposes.

It was most unfortunate that it was not possible to bridge the differences of views on a few issues and that, therefore, a final consensus on the whole document was not possible this year. But in all fairness it should be recognized, as expressed by the Chairman of the Working Group and by the Chair of the Drafting Group, that the outstanding points are of a fundamental nature and that therefore a little more time is necessary to solve them adequately.

In that regard, it was to be regretted that once again this year the overlapping of meetings prevented many delegations from being able adquately to follow all the important items under deliberation. Nevertheless, the fact that, despite some real, fundamental differences of perspective among delegations on this very sensitive subject, so many consensual formulations were tentatively agreed to by the Working Group bears eloquent testimony to the truly constructive and cooperative spirit that prevailed most of the time in our deliberations.

My delegation pays a heartfelt tribute to those delegations that fully understood that the search for consensus on this most difficult and crucially important subject should inevitably entail an equitable distribution of frustrations and discontent on a non-discriminatory basis.

Throughout the three years during which this item has been under consideration by the Disarmament Commission, my delegation has detected the evolution of a growing and broadly shared understanding among the negotiating partners concerning the complexities of the subject, and a true sense of

(Mr. Fujita, Brazil)

common commitment to solving them. Personally, I feel very honoured to have been associated with many dedicated negotiators during this period. A special word of recognition is due to the Chairmen of the Working Group in its first, second and third years and also, in particular, to Ambassador Peggy Mason, who played a most difficult and sensitive role this year as the Chair of the open-ended Drafting Group of Working Group III in a brilliant and admirable way. Also, a word of appreciation is in order to representatives in the Working Group, many of whom have already left New York, on their most cooperative posture.

In view of the many important concrete results achieved this year in our deliberations, my delegation would like to place on record its understanding of the outcome of the deliberations of Working Group III, expressing the hope that the Disarmament Commission will be able to build upon them in order to bring this subject to a successful conclusion in 1994.

As delegations deliberated the Chairman's working paper intensively throughout the three weeks, most of the text as it now appears before us reflects a very delicate balance of different views, not only among the paragraphs but also within them. As a fruit of reciprocal compromises, the language therein may not satisfy all delegations, since it was not possible to take all their views into account. In fact, no delegation had all its views reflected, as no single view on the most central questions was shared by all delegations.

It is in the nature of negotiations aiming at consensual language that each delegation gets its share of discontent. In reading the text, each party

(Mr. Fujita, Brazil)

may believe that the other parties' views received more favourable treatment. But when all sides think that way it may be proof that the overall text was balanced.

If we are to conclude our document successfully next year by consensus, we must bear in mind, as I stated before, that consensus means an equitable distribution of frustrations on a non-discriminatory basis.

Turning to the formulations presented in the text that appears in the annex to document A/CN.10/1993/CRP.5, it is the view of my delegation that paragraphs (a) to (d) and (f) to (i) of the Introduction are adequately balanced consensual language.

Paragraph (a) states the important principle that the fruits of human endeavours in scientific and technological achievements should be used for the benefit of all mankind, and that thus transfer and exchange of technological know-how should be promoted. Paragraph (b) recognizes that science and technology per se are deemed to be neutral and that their peaceful application should be promoted. Paragraph (c) calls on States to assess carefully the impact of the use of science and technology on international security. Those are all very important principles on which our Working Group was able to reach consensus.

Paragraphs (d), (f) and (g) address the permissible and inadmissible uses of high technology for military purposes. Paragraph (h) and (i) address the important question of international transfers of high technology for peaceful purposes.

As can be seen, the formulation of those paragraphs reflects important points and constitutes a substantive contribution by the Disarmament Commission in this important field.

(Mr. Fujita, Brazil)

The pending paragraphs (e), (j), (k) and (l) are not far from a generally acceptable formulation, and with further effort and flexibility the Working Group should be able quickly to finalize them next year.

Paragraphs 1 to 5 of Part I and 6 to 9 of Part II have been tentatively agreed upon, except for paragraph 7, where some differences of view remain. But here again it is the expectation of my delegation that the matter can be rapidly solved next year.

Paragraphs 10 to 20 of Part III are the crucial part of the exercise, and the deliberations during the 1993 substantive session of the Disarmament Commission tried to address them in a comprehensive and balanced manner, despite the differing and in some cases irreconcilable views of delegations in this field. None the less, it is very encouraging to note that paragraphs 10, 11, 13, 14, 17, 19 and 20 have been tentatively agreed upon by consensus.

Paragraph 10 recommends that States be encouraged to promote transfers of high-technology products, services and know-how for peaceful purposes. Paragraph 11 enshrines the important guideline that a commitment to comprehensive and balanced objectives of non-proliferation in all its aspects are essential both for the maintenance of international security and for the promotion of transfers of high technology with military applications.

(Mr. Fujita, Brazil)

Paragraphs 13 and 14 address measures adopted by States for ensuring that such transfers do not undermine international security and that access is not denied to these technologies for peaceful purposes.

Paragraph 17 states the already consolidated language contained in resolutions 46/38 D and 47/44, both adopted by consensus, that:

> "Norms and guidelines for the transfer of high technology with military applications should take into account legitimate requirements for the maintenance of international peace and security, while ensuring that they do not deny access to high-technology products, services and know-how for peaceful purposes."

Paragraph 19 refers to the widening multilateral dialogue in this field, with a view to enhancing the effectiveness of legal instruments by strengthening confidence among States and widening support for international cooperation.

Finally, paragraph 20, which was also referred to explicitly by the Ambassador of Canada, recommends that supplier and recipient States make a firm common commitment to prevent the diversion of high technology with military applications to non-peaceful uses, and that international cooperation be based on clearly defined and balanced rights and obligations, appropriate measures of transparency and verification, equity and fairness and predictability of incentives and benefits. Indeed, they constitute important principles that should be taken fully into account by all States - suppliers and recipients - in enhancing cooperation in this field.

Language has yet to be developed for paragraphs 12, 15, 16 and 18, which are also crucial. As with other pending paragraphs, my delegation expects that they will be settled properly by a thorough and careful deliberation by

(Mr. Fujita, Brazil)

all delegations next year. We ourselves will be fully prepared to cooperate in arriving at consensual language for these important formulations.

In Part IV, paragraphs 21 to 26 reflect consensual language, except for paragraph 24, where considerable effort will still be needed to overcome the differences.

Part V constitutes another important contribution to the document by indicating concrete ways in which the United Nations can play a relevant role in the field of science and technology in the context of international security, disarmament and other related fields. My delegation hopes that the Disarmament Commission will be able to devote intensive attention to this section next year.

My delegation wishes to express the expectation and hope that next year's deliberations will be concentrated on the few unresolved paragraphs contained in the Chairman's working paper, with a view to solving them quickly and finalizing the important set of guidelines and recommendations that we almost succeeded in concluding by consensus this year. The task was, and continues to be, within our reach. By concluding a successful document next year, building upon the considerable consensus already achieved this year, the Disarmament Commission will be presenting a truly substantive contribution to the international community in the field of science and technology in the context of international security, disarmament and other related fields.

In conclusion, my delegation fully supports the proposal presented by the delegation of Canada that you, Sir, together with the Chairman of Working Group III and the Chairman of the Drafting Group, conduct consultations throughout the year with a view to trying to advance our work for a successful conclusion next year.

The CHAIRMAN: I should like to thank all the delegations that spoke this morning for the very kind references they made to me and to the members of the Bureau in their statements.

The meeting rose at 1.05 p.m.